

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 JUSE-00 L-03 SEC-01 EB-07 COME-00
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TO SECSTATE WASHDC PRIORITY 3711
INFO AMCONSUL ZURICH

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EO 11652: NA
TAGS: CFED SZ
SUBJ: JUSTICE/SEC CASE V. CAPPETRO INC

REF: STATE 312954

1. IN RESPONSE QUESTIONS RAISED REFTEL:

A. SWISS ARE WILLING TO ASSIST AS MUCH AS POSSIBLE IN
CONTACTING AND INTERVIEWING APPROPRIATE WITNESSES, AND WILL
DO SO AS SOON AS THEY HAVE THE LIST OF PROSPECTIVE WITNESSES.
EMBASSY HAS NOT RPT NOT RECEIVED THE LIST.

B. WITNESSES WILL HAVE TO BE INTERVIEWED BY EXAMINING
MAGISTRATE OR HIS STAFF, AND WILL HAVE TO BE CONTACTED
THROUGH HIM. JUSTICE REPS MAY BE PRESENT AND
MAY SUGGEST QUESTIONS TO BE ASKED, BUT CANNOT QUESTION
WITNESSES DIRECTLY. THIS PROCEDURE WILL APPLY UNTIL
JUDICIAL ASSISTANCE TREATY BECOMES EFFECTIVE ON JAN 23.
AFTER THAT DATE JUSTICE REPS WILL BE ABLE TO OPERATE IN
ACCORDANCE WITH ITS PROVISIONS.

JUSTICE REPS MAY OBTAIN DOCUMENTS FROM WITNESSES
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QUESTIONED BY EXAMINING MAGISTRATE AND SWISS ARE
WILLING TO PROVIDE CERTIFICATION PROVIDED FOR IN
JAT NOW, WITHOUT WAITING FOR JAN 23 EFFECTIVE DATE.

C. SWISS WILL HAVE TO SEND OUT LETTERS ASKING
PROSPECTIVE WITNESSES TO APPEAR AND BE INTERVIEWED. THEY

CANNOT DO THIS UNTIL HTYE HAVE THE NAMES.

D. SWISS INVESTIGATION HAS NOT, UP TO NOW, PRODUCED
ANY INFO WHICH WOULD HELP IN PROSECUTION.

2. IF PROCEDURES SET FORTH ABOVE SATISFACTORY, EMBASSY
WILL MAKE FORMAL REQ THAT SWISS AGREE TO THEM AND TO
BEGINNING THE INTERVIEWS AS QUICKLY AS POSSIBLE.
DAVIS

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